

E-FILED on 11/20/09

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

YU-SZE YEN, et al.,

Plaintiffs,

v.

RONALD BUCHHOLZ, et al.,

Defendants.

No. C-08-03535 RMW

ORDER GRANTING DEFENDANTS'
MOTION TO DISMISS FOR FAILURE TO
COMPLY WITH THE FEDERAL RULES OF
CIVIL PROCEDURE
[Re Docket Nos. 101, 104]

For the reasons discussed at the hearing on November 20, 2009, the motion to dismiss plaintiffs' Third Amended Complaint is granted with leave to amend by December 30, 2009. Defendants shall have 30 days to respond to the amended complaint.

DATED: 11/20/09



RONALD M. WHYTE

United States District Judge

1 Notice of this document has been electronically sent to:

2 **Counsel for Plaintiffs:**

3 Jeffrey Mark Forster jforstr@pacbell.net
4 Steven R. Levy slevy@bigfoot.com

5 **Counsel for Defendants:**

6 Michael George Descalso mgd@greenechauvel.com
7 Dennis I. Wilenchik diw@wb-law.com
8 Andrew A. August aaugust@pinnaclelawgroup.com
9 William W. Schofield wschofield@pinnaclelawgroup.com
10 Steven R Bangerter sbangerter@bangertersheppard.com
11 Meagen Eileen Leary mleary@gordonrees.com

12 Counsel are responsible for distributing copies of this document to co-counsel that have not
13 registered for e-filing under the court's CM/ECF program.

14 **Dated:** 11/20/09

CCL

15 **Chambers of Judge Whyte**